LEGAL INTAKE REPORT 2026

ClaireAI

CLAIREAI RESEARCH | FEBRUARY 2026

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A national study of 1,000 personal injury law firms across 17 states and 25 cities, measuring after-hours responsiveness through live phone calls.

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THE CALL

February 20, 2026 — 7:42pm EST

A car runs a red light at 9pm on a Friday, someone is hurt. They're sitting in the back of an ambulance, or in a rideshare heading home from the ER, or standing on the shoulder of a highway waiting for a tow truck. They're scared and in pain. They do what almost everyone would do — they pick up their phone and search for a lawyer.

They find one, the Google listing says "Open 24 Hours." They tap the number. The phone rings and rings and rings. Nobody picks up, No voicemail, No answering service, Nothing.

So they call the next one, and the next one. Somewhere down the list, someone finally answers — and that firm gets the case, the fee, and a potential client for life.

The difference between the firm that wins that case and the firm that never knew the call happened isn't reputation, case results, or marketing spend. It's whether someone picked up the phone.

That gap — the distance between when someone needs help and when a firm actually responds — is what this study measures.

Between February 16 and February 22, 2026, we placed 1,000 live phone calls to personal injury law firms across 25 cities and 17 states. Every call went out after 5pm local time. We weren't selling anything. We weren't mystery shopping for a competitor. We asked one simple question: “if someone gets hurt tonight, who picks up the phone?”

The answer should concern every firm in the country.

This report is what we found.

Tiago Stramniello

Co-Founder, ClaireAI

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ABOUT THIS STUDY

This is the first large-scale study measuring after-hours phone responsiveness exclusively among personal injury law firms.

For personal injury attorneys, success starts before the courtroom. It starts the moment someone is hurt and picks up the phone. Until now, no one had measured how many firms are actually reachable when it matters most: after business hours, when accidents happen and injured people are searching for help.

This study set out to answer that question.

The Calls

01 WHAT

1,000 personal injury law firms selected via Google Search across major and mid-size markets.

02 WHEN

February 16–22, 2026. All calls placed after 5pm local time on weekday evenings and weekends.

03 WHERE

17 states and 25 cities, from New York to Los Angeles, Miami to Chicago, Houston to Phoenix.

CRITERIA

01 ANSWERED

A live human, answering service, or receptionist picked up the call.

02 UNANSWERED

Voicemail, endless ringing, dead line, or disconnected number. No live response.

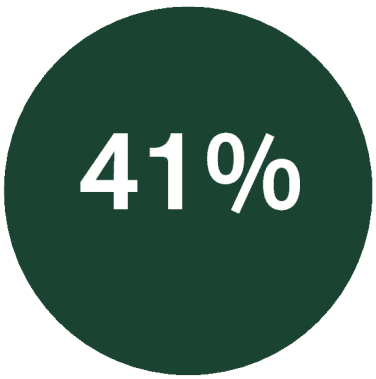
03 AI RESPONSE

An automated system, chatbot, or AI-powered agent responded to the call.

Every data point in this report represents a real call to a real firm. Not a survey. Not self-reported data. This is what a potential client actually experiences when they search for a personal injury attorney after hours and dial the number.

THE NATIONAL BREAKDOWN

Answer rates by day of week across 1,000 firms and 25 cities.

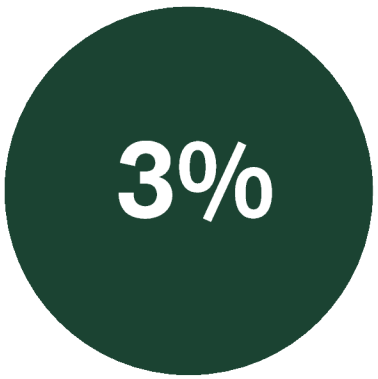


PERCENTAGE UNANSWERED

Firms that never answered

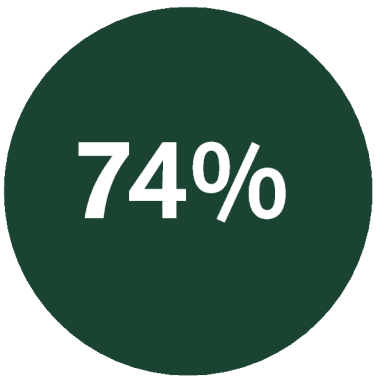
HANG UP ON VOICEMAIL

Percent of clients that never leave a message, Never call back



AI RESPONSE

Of firms had any form of AI or automated response

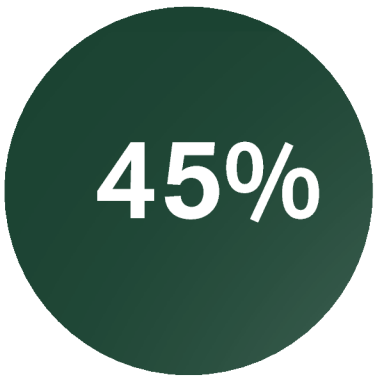


CLAIM 24 HRS

Advertise round-the-clock availability

BROKE THAT PROMISE

Of those claiming 24 hrs, didn't answer



FRIDAY

Worst answer rate, when nonfatal crashes peak

Operational Performance

These numbers are not concentrated in any single city or region. From the Northeast to the West Coast, the pattern held. The after-hours intake gap is a national structural problem — not a local one. The following pages break down exactly where.

17 States **25 Cities** **6 Days** **1,000 Calls**

GEOGRAPHIC REACH

We called firms across 17 states and 25 cities — from New York to Los Angeles, Miami to Chicago. Answer rates varied across markets, yet no region was immune — revealing that the after-hours intake gap is a national pattern.

CITY	STATE	CALLS PLACED	ANSWER RATE
Las Vegas	NV	89	71.7%
New York	NY	75	78.7%
Chicago	IL	71	53.5%
Boston	MA	62	51.6%
Denver	CO	61	52.3%
Orlando	FL	53	52.8%
Detroit	MI	52	36.5%
Los Angeles	CA	48	56.2%
Memphis	TN	46	39.1%
Miami	FL	45	57.8%
Seattle	WA	45	55.6%
St. Louis	MO	41	41.5%
Philadelphia	PA	35	62.9%
Phoenix	AZ	35	57.1%
Baltimore	MD	33	66.7%
Atlanta	GA	32	56.2%
Dallas	TX	29	51.7%
New Orleans	LA	28	53.6%
Pittsburgh	PA	26	62.1%
Palo Alto	CA	23	43.5%
San Francisco	CA	21	57.1%
Nashville	TN	11	45.5%
Houston	TX	10	70.0%
San Diego	CA	10	70.0%
San Antonio	TX	9	100.0%
Total		1,000	

WHY IT MATTERS

A missed call after hours is not just a lost lead. It's a cascade of consequences.

When someone calls a law firm at 9pm after getting rear-ended on the highway, they are not comparison shopping. They are scared. They are hurt. The clock on their case is already ticking whether anyone picks up or not.

The Crash-Timing Paradox

Fatal crashes peak on Saturdays. Nonfatal crashes peak on Fridays. In our study, Friday had the lowest answer rate of any day at 45%. The night when the most people get hurt is the same night the fewest firms pick up the phone. Supply and demand are moving in opposite directions.

The Voicemail Dead End

80% of callers who reach voicemail hang up without leaving a message. They do not try again later. They call the next firm on Google. The original firm has no idea the call ever happened. There is no missed-call alert in their CRM. No lost-lead report. Just silence where revenue used to be.

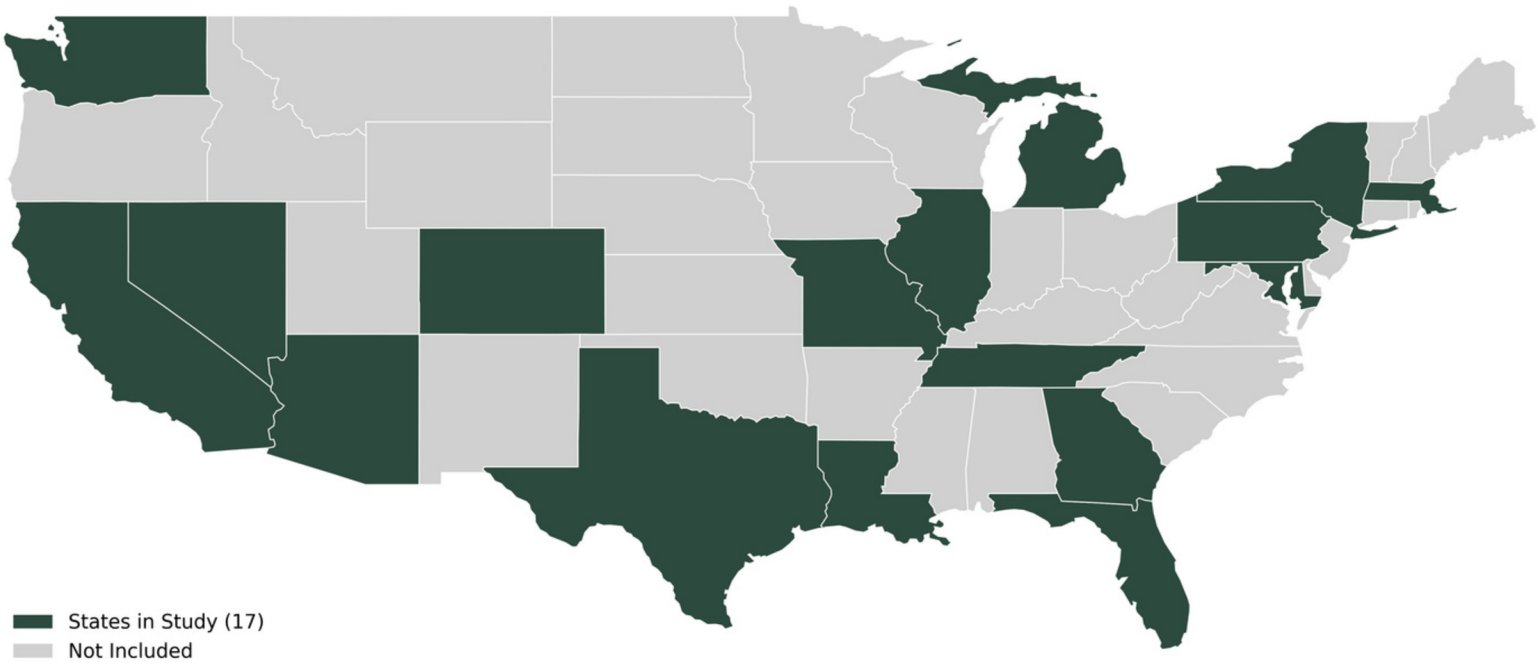
Evidence Disappears

Surveillance footage from gas stations and intersections can auto-delete within 24 hours. Dashcam footage gets overwritten. Black box data from trucks has a limited shelf life. The only thing that stops that clock is a preservation letter from an attorney, and that letter cannot go out until someone actually retains one. A 12-hour delay in answering the phone can mean the difference between having evidence and having nothing.

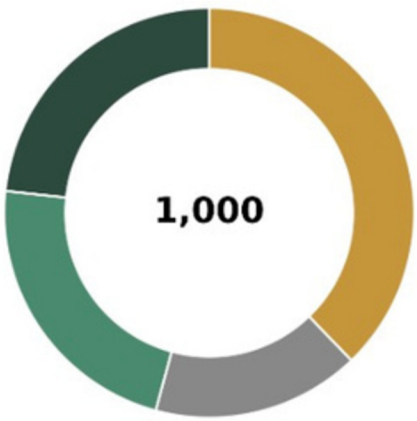
The Five-Minute Window

80% of legal consumers move on if they do not hear back within 48 hours. But the real cliff comes much earlier. The MIT Lead Response Study found that contact odds drop 100x between the five-minute mark and the 30-minute mark. Five minutes. That is the window, and most firms do not check voicemail until Monday.

NO REGION WAS IMMUNE



Regional Answer Rates by Area



Nationwide Coverage

Answer rates varied by more than 40 percentage points across cities — from 100% in San Antonio to 36.5% in Detroit. But no region cleared 80%. Even the Northeast, the strongest region in the study, left more than one in five calls unanswered.

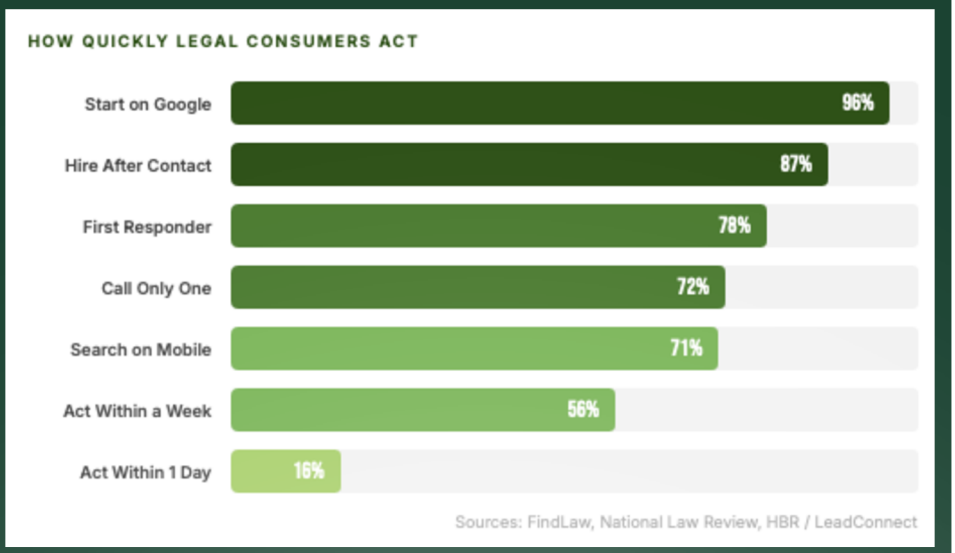
- West: 37.8% of calls — 59.7% answer rate
- Northeast: 23.3% of calls — 65.7% answer rate
- Southeast: 22.5% of calls — 51.7% answer rate
- Midwest: 16.4% of calls — 44.6% answer rate

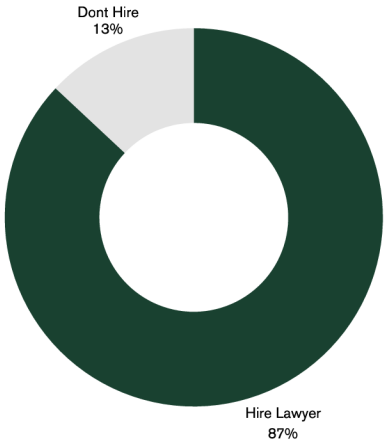
BY THE TIME THEY CALL

THEY'VE ALREADY DECIDED

The assumption behind most legal marketing is that a phone call is the beginning of a decision. The data says otherwise. By the time someone dials a law firm, the decision is mostly made. 87% of people who contact an attorney go on to hire one. 72% only contact a single firm. 78% of consumers buy from the first company to respond not the best, not the cheapest, the first.

16% act within 24 hours of realizing they need a lawyer. These aren't leads. They're clients waiting to be claimed.

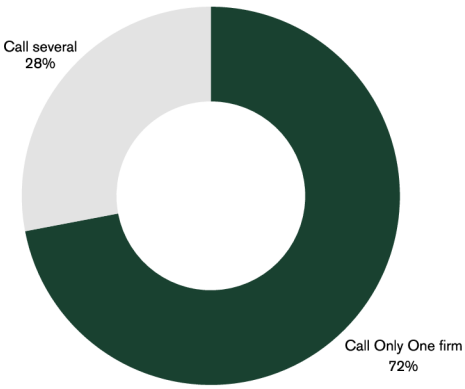




87%

Hire After Contact

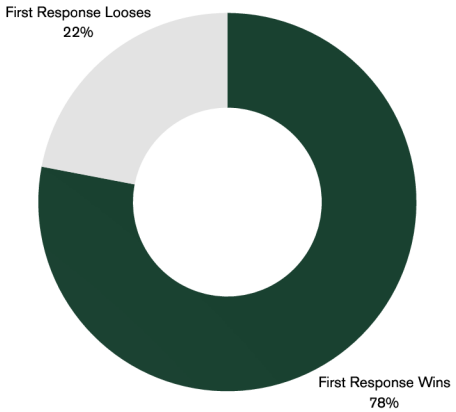
Of people who contact an attorney go on to hire one (FindLaw)



72%

Call Only One Firm

Most people never contact a second attorney (FindLaw)



78%

First Responder Wins

78% of customers buy from the first company to respond (HBR)

THE ECONOMICS OF A MISSED CALL

2026

What a Missed Call Actually Costs (USD, Sourced)

FINANCIAL METRIC	VALUE	SOURCE
Median PI Settlement	**$31,000**	Gain Servicing, 2025
Avg Auto Liability Claim	**$27,373**	CCC Intelligent Solutions, 2024
Average PI Settlement	**$40,000–$55,000**	Consumer Shield / Brown & Crouppen
Med Mal Avg Paid Claim	**$435,000**	Natl Practitioner Data Bank, 2024
Standard Contingency Fee	**33%**	Martindale-Nolo, 2024
Attorney Fees Per Case	**$10,230–$18,150**	Calculated (33% of $31K–$55K)
Google Ads Cost Per Click	**$70–$250**	National Law Review, 2025
Cost Per Lead	**$700–$1,500**	First Page Sage, 2025
Cost Per Signed Case	**$2,500–$3,000**	National Law Review, 2025
Avg Firm Marketing Spend	**$437,000/yr**	First Page Sage (49 firms, 36 states)
PI Industry Revenue	**$61.7 Billion**	IBISWorld, 2025
LEADS TO CONVERT 1 CLIENT	**13.4**	**Martindale-Avvo / MyCase, 2024**

Additional Financial Metrics → The Cost of 409 Unanswered Calls

SCENARIO	VIABLE LEADS	SETTLEMENT BASIS	LOST FEES (33%)
Conservative (10%)	**41**	$31,000	**$419,430**
Moderate (25%)	**102**	$40,000	**$1,346,400**
Aggressive (50%)	**205**	$55,000	**$3,720,750**
MODERATE ESTIMATE	**102 CASES**	**$40,000 AVG**	**$1,346,400**

Moderate Estimate

$1,346,400

In Lost Fees

Firms That Didn't Answer

409

Out of 1,000 Called

Key Takeaways

Every unanswered call burns $700–$1,500 in marketing spend and risks $10,000–$18,000 in fees. There's no line item for it. No dashboard. No alert. The loss is completely invisible.

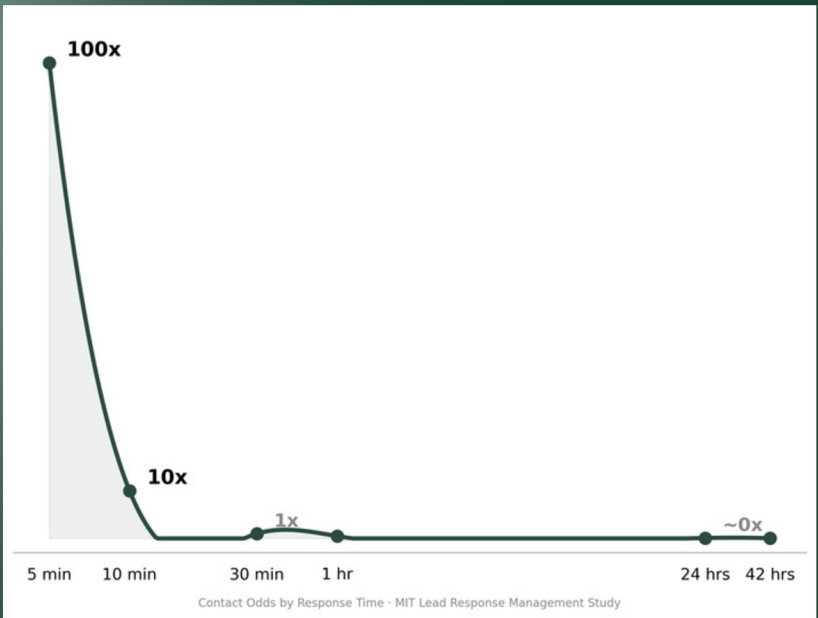
THE SPEED-TO-RETENTION CLOCK

What the Research Says About Response Time

The speed-to-lead research it isn't ambiguous. The MIT Lead Response Management Study tracked 15,000 leads and 100,000 call attempts over three years. Harvard Business Review audited 2,241 companies. Velocify analyzed 3.5 million leads. They all found the same thing — the window between someone calling and that lead being gone is measured in minutes, not hours.

MIT found that contact odds drop 100x between the 5-minute and 30-minute mark. Not 100 percent — one hundred times. Harvard's audit found the average company takes 42 hours to respond, and 23% never respond at all. Now put that in the context of personal injury — someone hurt and scared, searching for a lawyer at 10pm.

FINDING	DATA	SAMPLE SIZE	YEAR	SOURCE
Contact Odds Drop	**100x between 5–30 min**	15,000 leads	2007	MIT Lead Response Study
Qualification Odds Drop	**21x in same window**	100,000 call attempts	2007	MIT Lead Response Study
Respond Within 1 Hour	**7x more likely to qualify**	2,241 companies	2011	Harvard Business Review
Respond Within 1 Minute	**391% higher conversion**	3.5 million leads	2012	Velocify
Average Response Time	**42 hours**	2,241 companies	2011	Harvard Business Review
Never Responded At All	**23% of companies**	2,241 companies	2011	Harvard Business Review
Consumers Move On	**80% within 48 hours**	National survey	2023	Martindale-Avvo
FIRST RESPONDER WINS	**78% of the time**			**LeadConnect / HBR**



Total Revenue (USD

Net Profit (USD)

The Five-Minute Window

78% of customers buy from the first company that responds. Not the best. Not the cheapest. The first. In personal injury, where someone is calling from an ER parking lot at 10pm, that window is everything.

The firms in our study that didn't answer waited zero seconds to lose the lead. The caller simply hung up and dialed the next number on Google. No voicemail. No callback. No second chance.

The data consistently shows that response time is the single strongest predictor of client retention in personal injury intake. Firms that answer first do not merely improve their odds — they effectively remove the competition from consideration

CLIENT IMPACT

The results expose a national structural failure in legal intake — a gap between what firms promise and what injured people actually experience when they call for help.

42

MINUTES

One person dies every 42 minutes from a drunk driving accident, while this is happening 41% of PI firms don't answer the phone.

69%

AFTER HOURS

69% of drunk accidents occur in the dark. 26% of firms don't have after hours reception and 29% of firms that claim 24 hours didn't answer the phone.

58 Billion

IN COSTS

58 billion in economic costs from alcohol-impaired crashes.

57%

ON WEEKENDS

57% of all drunk driving fatalities occur on weekends, meaning the majority of your high-value cases are generated when firms aren't answering their phones.

THE END-OF-WEEK DROP-OFF

Friday was the worst day in the study. Not by a little — by a lot. Only 45% of firms answered, which means 60 out of 110 calls went nowhere. No human, no AI, no answering service. Just ringing. Thursday wasn't far behind at 52.6%. So the two worst-performing days in the entire dataset are back-to-back — the tail end of the workweek, when you'd think coverage would still be in place. Staff were on-site hours earlier. Phones were working all day. Then 5pm hits and apparently everyone just leaves. Monday led all days at 70.0%. Tuesday held at 66.0%. Something breaks between Tuesday and Thursday, and by Friday it's gone.

Here's what makes Friday ugly. NHTSA data shows alcohol-impaired crash fatalities begin surging on Friday nights. It's the start of the deadliest window of the week for motor vehicle accidents. It's the exact night the fewest PI firms in our study were reachable. That's not a coincidence you can ignore. 60 out of the 110 firms didn't answer on the night people are most likely to get hit by a drunk driver. Saturday actually recovered to 61.7% — but that still left 169 of 441 firms unreachable on the night fatal crashes peak nationally. The raw number matters. 169 firms dark on a Saturday night is not a win.

The pattern isn't weekday versus weekend. It's about which firms built after-hours infrastructure and which ones didn't. Monday and Tuesday work because the week is fresh and staff are engaged. By Thursday and Friday, coverage falls apart. Then Saturday bounces back — not because the weekend is easier, but because the firms answering on Saturday made a deliberate investment in it. The ones disappearing Friday evening made no investment at all. That 24.5-point gap between Monday's 70.0% and Friday's % isn't noise. It's the difference between firms that planned for after-hours intake and firms that assumed nobody would call.

29.2% of firms claiming 24-hour availability failed to answer the phone.

737 firms out of the 1,000 we called had the words 'Open 24 Hours' somewhere on their Google Business Profile. 73.7%. Nearly three out of four personal injury firms in America are telling potential clients that someone will pick up. 221 of those firms didn't answer.

Google makes it easy to claim 24-hour availability. You log into your Business Profile, click a dropdown, select 'Open 24 hours.' No verification. No audit. No follow-up call at 2am to check. So what's actually behind that claim? Answering services that overflow and route to voicemail. SEO settings that someone checked years ago and never revisited. Phone trees that dead-end. Extensions that ring forever. One firm had a system that played hold music for three minutes and then disconnected. Another had a voicemail box that was literally full. You couldn't even leave a message. The claim isn't just inaccurate. In some cases the infrastructure behind it is actively broken and nobody has noticed because nobody is testing it.

The Reputational Compound

A person who calls a firm that claims to be available and gets voicemail doesn't just move on. They form a judgment. That firm is disorganized. That firm doesn't care. 67% of legal clients base their hiring decision on how fast a firm responds according to ALM Global. Not credentials. Not case results. Speed, and the firm never knows. The missed call doesn't show up in their CRM as a lost client. It shows up as nothing.

Honest vs. Dishonest Failures

The 40.9% overall non-answer rate is bad. But it includes firms that never claimed to be available. A firm that lists Monday through Friday 9 to 5 and doesn't answer on a Saturday night is being honest. They told you they wouldn't be there and they weren't. That's a business decision, but a firm that says 'Open 24 Hours' and doesn't answer? That's a broken promise to someone in crisis.

What 'Open 24 Hours' Actually Means

Three things are happening behind that claim. First, answering services that don't actually answer. A firm signs up with a third-party reception service and lists themselves as 24/7 because technically someone is supposed to pick up, but those services have capacity constraints. They overflow. They route to voicemail. They put callers on hold for three or four minutes until the person just hangs up. Second, Google settings that nobody updates. A marketing person or SEO agency checks 'Open 24 Hours' because it helps local rankings, which it does, and then nobody ever revisits it. The office closes at 5pm and the phones roll to a voicemail that literally says 'we'll get back to you during normal business hours.' Third, the infrastructure just breaks. Phone trees that dead-end. Press-1-for-emergency menus that dump straight into voicemail. Systems that nobody has tested because nobody thought to.

What Happens Next

78% of customers buy from the first company that responds. Not the best. Not the cheapest. The first. The person in pain at 9pm doesn't leave a voicemail and wait. They call the next firm on Google. And the next one. The MIT study says you have five minutes. The firm that missed the call doesn't lose a phone call. It loses the case, the fee, and it never even knows it happened.

AI on the Front Line

29 firms out of 1,000 had some form of AI answering after-hours calls. That's 2.8%. The number actually dropped from 3.6% at the 500-firm mark, which suggests the earlier sample slightly over-represented early adopters. The real national adoption rate is probably below 3%.

Clio's 2024 Legal Trends Report says 79% of lawyers use AI daily. 93% of mid-sized firms report using it in some capacity. So where is it? They're using ChatGPT for emails. CoCounsel for research. Document review and billing optimization. The gap between 'firms using AI somewhere' and 'firms using AI to answer the phone' is 76 percentage points. That's not an adoption lag. That's an entirely different conversation.

Clio's own report found only 40% of firms using AI are using legal-specific solutions. The other 60% are using general purpose tools for legal applications. Harvard Business School's 2023 study with BCG found AI improved performance by 25% and quality by 40%, but only when matched to the task. When it wasn't, performance actually declined.

Functional Requirements

There are four things any AI answering a law firm's phones should do. Disclose that it's AI, per ABA Formal Opinion 512 published July 2024, Collect basic intake info, and Schedule a consultation. Handle basic questions about the practice. If it can't do those four things it's a voicemail system with extra steps.

What We Found

Of the 29 AI systems we encountered, at least 5 could not schedule consultations. At least 3 did not disclose they were AI, which under ABA Opinion 512 is a potential professional responsibility issue. Exactly 1 out of 29 functioned adequately and could handle basic interactions. One.

2.8%	79%	76pts	1 of 29
AI Adoption Rate	Lawyers Using AI Daily	The Gap	Worked Adequately

Five things every personal injury firm should do before Monday morning.

This study isn't meant to shame anyone. Plenty of firms are doing it right. But for the 40.9% that aren't answering after hours, and especially the 29.2% that promised they would and didn't, the fixes aren't complicated. Most of them cost nothing. Some take five minutes.

Where the Breakdown Happens

Our data showed three categories of failure. Firms that never claimed to be available and simply weren't. That's honest. Firms that claimed 24 hours and had infrastructure that was broken without anyone knowing. And firms that claimed 24 hours and just didn't have anything in place at all. The first group made a business decision. The second and third group are leaving money on the table every single night and have no idea it's happening. Here's where to start.

Staff Friday Evenings

Friday was the worst day in our data at 45%. More than half of firms were unreachable. It's also the night nonfatal crash injuries peak according to NSC data. If you can only improve one thing about your after-hours setup, make it Friday between 5pm and midnight. Forward calls to an attorney's cell. Turn on your answering service early. Set up a dedicated on-call rotation just for Friday nights. The firms that answered on Saturdays at 61.7% proved the infrastructure exists. The problem on Friday isn't that firms can't answer. It's that they've mentally clocked out before the systems kick in.

Audit Your Google Business Profile

If you claim 'Open 24 Hours,' call your own office at 9pm on a Friday and see what happens. If the answer is voicemail, either fix what's behind it or change the listing. A firm that says 9 to 5 and means it is more honest than a firm that says 24/7 and lets people ring out to nothing. Google doesn't verify these claims. Nobody does. Which means nobody is catching it except the potential client who just hung up and called your competitor.

Test Your After-Hours Line Monthly

Phone trees break. Voicemail boxes fill up. Extensions get rerouted during an office move and nobody remembers to fix them. Have someone outside your firm call after hours once a month. It takes five minutes and costs nothing. We found firms where the system played hold music for three minutes and disconnected. Another had a full voicemail box. These aren't strategic decisions. They're things that broke and nobody noticed.

If You Deploy AI, Deploy the Right AI

2.8% of firms in our study had AI answering the phone. Most of those couldn't schedule a consultation. The one thing they were there to do and they couldn't do it. At least 3 didn't even tell the caller they were talking to AI, which under ABA Formal Opinion 512 is a real professional responsibility issue. Out of 29 AI systems we encountered, exactly one worked adequately. One. Meanwhile Clio says 79% of lawyers use AI daily, but they're using it for drafting emails and legal research, not for picking up the phone. The gap between internal AI adoption and client-facing AI adoption is 76 percentage points. If you're going to use technology for after-hours intake, make sure it can actually do the job. It should disclose it's AI. It should collect a name, phone number, and what happened. It should book a consultation. And it should be able to answer basic questions about your practice areas. A generic chatbot bolted onto a phone line isn't intake. It's a voicemail system that talks back.

The Answer

This study started with a simple question: if someone gets hurt tonight, who picks up the phone?

After 1,000 calls across 17 states and 25 cities, the answer is clear. Not enough firms. Not on Fridays. Not on weekends. Not when it matters most.

41% of firms never answered. 29% of those promising 24-hour availability broke that promise. And on Friday nights — when nonfatal crashes peak nationally — more than half of firms were unreachable.

The data is not ambiguous. The patterns held at 500 firms, and they held at 1,000. This is how the industry operates after 5pm.
But this report is not about blame. Plenty of firms are doing it right. The ones that answer on Friday nights built systems to do so. The ones that answer on Saturday mornings made a deliberate choice to be there.

The difference between the firms that win cases and the firms that never know the call happened is not marketing spend. It is not SEO. It is not case results. It is whether someone picked up the phone.

It starts with an accident. It ends with whoever answers first.

A NOTE ON METHODOLOGY

This study was conducted between February 16 and 22, 2026. One caller placed 1,000 calls to personal injury law firms across 17 states and 25 cities. Every call went out after 5pm local time. We weren't mystery shopping. We weren't reading from a script. We just called, let it ring, and wrote down what happened. Answered by a human, sent to voicemail, picked up by AI, or nothing.

For the AI systems we encountered, we focused on functional capability rather than subjective quality. Could the system schedule a consultation? Did it disclose that it was AI? Did it collect basic intake information? Those are yes or no questions.

We want to be honest about what this study can't tell you. This is one person calling over six days. One call per firm. We don't know what happens on a random Tuesday in March. We don't know if a firm that missed our call picks up every other time. A firm that lists its hours as Monday through Friday and doesn't answer on Saturday night isn't doing anything wrong. They said they wouldn't be there and they weren't. That's not a failure. That's just a business decision.

What we can tell you is that the patterns held. At 500 firms the failure rate among 24-hour claimants was 29.8%. At 1,000 firms it landed at 29.2%. The number barely moved. That's not a fluke and it's not a sampling problem. It's how this industry actually operates. And as far as we can tell, this is the largest after-hours responsiveness study of personal injury firms ever conducted.

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Co-Founders, ClaireAI

ABOUT CLAIREAI

A missed call after hours is not just a lost lead. It's a cascade of consequences. AI-powered legal intake built exclusively for law firms.

ClaireAI is an AI-powered virtual receptionist built exclusively for law firms. We don't serve dentists. We don't serve plumbers. We answer phones for attorneys because legal intake has rules, workflows, and stakes that generic answering services weren't designed for.

This study was not commissioned by any third party. The data, methodology, and findings are our own. We conducted it because we wanted to know how bad the problem actually was. Now we know.

01

After-Hours Intake

Every call answered in 5 seconds or less. Nights, weekends, holidays. No overflow. No hold music. No voicemail.

02

Bilingual Support

Full English and Spanish intake from the first word. No transfers. No delays. No 'press 2 for Spanish.

03

Conflict Checks & Scheduling

Real-time conflict checking and consultation booking integrated with MyCase, Clio, and other legal CRMs. The caller gets on the calendar before they hang up.

04

Built for PI, Criminal Defense & Family Law

We built this for the practice areas where calls come in at 10pm on a Friday and can't wait until Monday. Personal injury. Criminal defense. Family law. The cases that don't respect business hours

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The 1,000-Firm Study, published by ClaireAI, is the largest after-hours responsiveness study of personal injury law firms ever conducted. By calling 1,000 firms across 17 states and 25 cities after business hours, this report provides the first comprehensive look at how the industry actually performs when potential clients need help the most.

ClaireAI is an AI-powered virtual receptionist built exclusively for law firms. We handle after-hours intake, bilingual call answering, conflict checks, and consultation scheduling for personal injury, criminal defense, and family law practices. We built ClaireAI because the firms that answer first win the case, and most firms aren't answering at all.

Learn more at theclaireai.com

ClaireAI

Legal Intake Report 2026

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